

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
CENTRAL DIVISION

YVONNE TAYLOR and SOUTH DAKOTA) Case No.
MUNICIPAL LEAGUE,)
)

Plaintiffs,)
)

v.)
)

STEVEN HAUGAARD, in his official capacity)
as Speaker of the House,)

Defendant.)

**AFFIDAVIT OF
YVONNE TAYLOR**

STATE OF SOUTH DAKOTA)
)SS.
COUNTY OF HUGHES)

I, Yvonne Taylor, being first duly sworn upon her oath, states as follows:

1. I am the Executive Director of the South Dakota Municipal League, and have been since September of 1996.

2. I am a registered lobbyist with the South Dakota Secretary of State, and have been continuously registered to lobby on behalf of the SD Municipal League from 1997-2019. I also had three years of lobbying experience in 1992, 1993, and 1994 also on behalf of the South Dakota Municipal League. I also lobby for one other association which is affiliated with the Municipal League.

3. I am a resident and registered voter in South Dakota and on occasion have personally discussed and advocated with South Dakota legislators regarding issues of interest to me.

4. The floor of the South Dakota House of Representatives (“House Floor”) is open to lobbyists as well as to the general public during certain hours while the Legislature is in session.

5. To the best of my knowledge, since 1991, no particular person or persons have been prohibited from entering onto the House Floor during the hours it is open to the public and lobbyists.

6. The Municipal League publishes a monthly magazine to its members called *South Dakota Municipalities*. Each month I write a column on items of interest to the members. Among other things, this column has been used to advocate on certain issues important to members, such as referred issues and constitutional amendments, and to encourage political

involvement. For the May 2018 issue I authored a column in the *South Dakota Municipalities* Magazine encouraging the members to vote in the June primary election and consider voting for legislators willing to study the issues and not prejudge issues through a narrow predetermined standard. A copy of the column is attached as Exhibit A.

7. On Monday, January 14, 2019, the Speaker of the House of Representatives, Representative Steven Haugaard of Sioux Falls, called me into his office. He asked me to close the door and a conversation ensued about the May column I wrote. He had not previously discussed the column with me.

8. Speaker Haugaard accused me of making the Legislature look like “a bunch of buffoons” and that I was allowed to privately think the thoughts expressed in the column but that I could not publish them. He then asked me to not be on the House Floor during the times it was open to the public until further notice.

9. On January 16, 2019, I had a letter delivered to the Speaker stating I disagreed with the premise of his action. In that letter, I asked that by 5:00 p.m. on Wednesday, January 16, 2019, he supply me with written justification of his authority to ban me from the House Floor. See Exhibit B. I received no response.

10. On January 17, 2019 at 9:00a.m. when the House floor was open to the public, I approached the Assistant Sergeant at Arms, Rollie Borth. Mr. Borth is a state employee and takes direction from The Speaker. I asked Mr. Borth if I could come onto the House Floor. Mr. Borth told me he had been instructed not to let me on the floor. I asked who had given that order, and he replied “The Speaker.” He then handed me a section of Mason’s Rules that refer to contempt and maintaining order. See Exhibit C.

11. I am unable to adequately represent the South Dakota Municipal League without being able to speak to legislators on the House Floor when it is open to the public. I am further unable to advocate on other issues where I personally have an interest.

12. A critical component of lobbying, be it for an organization or on one’s own behalf, is being in the location where and when legislators and groups of legislators can be found. Being on the House Floor allows lobbyists and members of the public to speak with many legislators in one place at one time.

13. Most legislators do not have offices, so the legislators’ desks on the House Floor is the place where most legislators can be found.

14. One important aspect of lobbying is circulating bill sponsor sign-up sheets and explaining to legislators the bill they are being asked to sponsor. A legislator may sign the sign-up sheet in order to become a sponsor of a bill. This activity occurs almost exclusively on the floors of the House and Senate.

15. The deadline for getting bill draft requests with completed sign-up sheets to the Legislative Research Council is Monday, January 28, 2019.

16. If barred from the House Floor, I run the risk of having bills passed without communicating with legislators about the bills and issues associated with the bills. Moreover, my

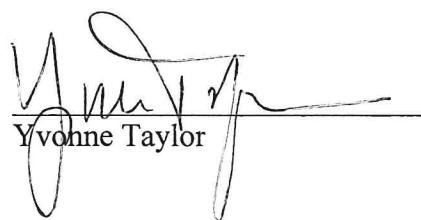
voice, opinion and right to advocate on behalf of the Municipal League and myself is effectively curtailed.

17. South Dakota's legislative session is short. There are less than 40 days in a session, making access to legislators all the more critical for lobbyists and members of the public.

18. The Speaker's action banning me from the House Floor greatly impedes my ability to contact legislators and advocate my viewpoint and concerns at a critical time in the legislative process.

19. Based on my years of experience, if people believe they can be punished for expressing their political opinions, such as has happened to me here, they will not openly express their views of their elected officials out of fear of being prevented from participating in the political process.

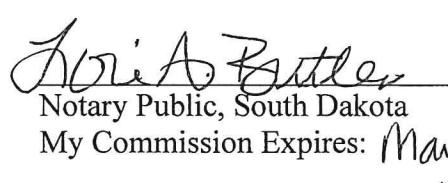
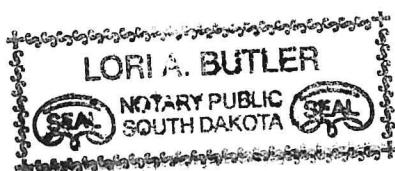
Dated this 22nd day of January, 2019.



Yvonne Taylor

Subscribed and sworn to me this 20th day of January, 2019.

(SEAL)



Lori A. Butler
Notary Public, South Dakota
My Commission Expires: May 6, 2021